

HOUSE BILL No. 1292

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-23-28-4.

Synopsis: Commission on Hispanic/Latino affairs. Requires appointments to the commission on Hispanic/Latino affairs by the speaker of the house of representatives and the president pro tempore of the senate to be bipartisan. Requires the commission member that is the lieutenant governor or the lieutenant governor's designee and the member appointed by the governor to be of different political parties. Provides that those appointments are for two year terms. Makes a technical correction.

Effective: July 1, 2006.

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January 10, 2006, read first time and referred to Committee on Government and Regulatory Reform.

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Introduced

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1292

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-23-28-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. (a) The commission
3 consists of twenty (20) members appointed as follows:

4 (1) Two (2) members of the senate who may not be affiliated with
5 the same political party, to be appointed by the president pro
6 tempore of the senate.

7 (2) Two (2) members of the house of representatives who may not
8 be affiliated with the same political party, to be appointed by the
9 speaker of the house of representatives.

10 (3) Four (4) members of the Hispanic/Latino community who are
11 not members of the general assembly, to be appointed by the
12 president pro tempore of the senate. **Not more than two (2)**
13 **members appointed under this subdivision may be of the same**
14 **political party.**

15 (4) Four (4) members of the Hispanic/Latino community who are
16 not members of the general assembly, to be appointed by the
17 speaker of the house of representatives. **Not more than two (2)**



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members appointed under this subdivision may be of the same political party.

(5) The secretary of family and social services or a designee of the secretary who is a Hispanic or Latino employee of the office of the secretary of family and social services.

(6) The commissioner of the state department of health or a designee of the commissioner who is a Hispanic or Latino employee of the state department of health.

(7) The state superintendent of public instruction or a designee of the superintendent who is a Hispanic or Latino employee of the department of education.

(8) The commissioner of the department of correction or a designee of the commissioner who is a Hispanic or Latino employee of the department of correction.

(9) The director of the civil rights commission or a designee of the director who is a Hispanic or Latino employee of the civil rights commission.

(10) ~~The director of the department of commerce~~ **lieutenant governor** or a designee of the ~~director~~ **lieutenant governor** who is a Hispanic or Latino employee of the ~~department of commerce~~. **lieutenant governor.**

(11) A Hispanic or Latino business person, appointed by the governor.

(12) The commissioner of workforce development or a designee of the commissioner who is a Hispanic or Latino employee of the department of workforce development, who shall serve as an ex officio member of the commission.

In making their appointments under this section, the president pro tempore of the senate and the speaker of the house of representatives shall attempt to have the greatest possible number of counties represented on the commission. **The members appointed under subdivisions (10) and (11) may not be of the same political party.**

(b) If a legislative member of the commission ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the commission.

(c) A member of the commission may be removed at any time by the appointing authority who appointed the member.

(d) If a vacancy on the commission occurs, the appointing authority who appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy.

(e) A member appointed under subsection (a)(3) or (a)(4):

(1) serves for a term of two (2) years and until a successor is

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1 appointed; and

2 (2) may be reappointed.

3 SECTION 2. [EFFECTIVE JULY 1, 2006] (a) As used in this
4 SECTION, "commission" refers to the commission on
5 Hispanic/Latino affairs established by IC 4-23-28-2.

6 (b) Except as otherwise provided in this SECTION,
7 IC 4-23-28-4, as amended by this act, applies to appointments made
8 after June 30, 2006.

9 (c) Notwithstanding IC 4-23-28-4(e), as amended by this act, the
10 terms of two (2) members of the commission appointed before July
11 1, 2006, by the president pro tempore of the senate under
12 IC 4-23-28-4(a)(3) expire June 30, 2006. The president pro tempore
13 of the senate shall determine the two (2) members whose terms
14 expire under this subsection. Notwithstanding IC 4-23-28-4(e), as
15 amended by this act, the president pro tempore of the senate shall
16 appoint two (2) members to the commission to replace the
17 members appointed under IC 4-23-28-4(a)(3) whose terms expire
18 under this subsection. The members appointed under this
19 subsection may not be affiliated with the same political party. A
20 member appointed under this subsection serves a term of two (2)
21 years. The president pro tempore of the senate may reappoint a
22 member whose term expires under this subsection.

23 (d) Notwithstanding IC 4-23-28-4(e), as amended by this act, the
24 terms of any remaining members of the commission appointed
25 before July 1, 2006, by the president pro tempore of the senate
26 under IC 4-23-28-4(a)(3) expire June 30, 2007. Notwithstanding
27 IC 4-23-28-4(e), as amended by this act, the president pro tempore
28 of the senate shall appoint members to the commission to replace
29 any members appointed under IC 4-23-28-4(a)(3) whose terms
30 expire under this subsection. If more than one (1) member is
31 appointed under this subsection, the members may not be affiliated
32 with the same political party. A member appointed under this
33 subsection serves a term of two (2) years. The president pro
34 tempore of the senate may reappoint a member whose term expires
35 under this subsection.

36 (e) Notwithstanding IC 4-23-28-4(e), as amended by this act, the
37 terms of two (2) members of the commission appointed before July
38 1, 2006, by the speaker of the house of representatives under
39 IC 4-23-28-4(a)(4) expire June 30, 2006. The speaker of the house
40 of representatives shall determine the two (2) members whose
41 terms expire under this subsection. Notwithstanding
42 IC 4-23-28-4(e), as amended by this act, the speaker of the house of

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representatives shall appoint two (2) members to the commission to replace the members appointed under IC 4-23-28-4(a)(4) whose terms expire under this subsection. The members appointed under this subsection may not be affiliated with the same political party. A member appointed under this subsection serves a term of two (2) years. The speaker of the house of representatives may reappoint a member whose term expires under this subsection.

(f) Notwithstanding IC 4-23-28-4(e), as amended by this act, the terms of any remaining members of the commission appointed before July 1, 2006, by the speaker of the house of representatives under IC 4-23-28-4(a)(4) expire June 30, 2007. Notwithstanding IC 4-23-28-4(e), as amended by this act, the speaker of the house of representatives shall appoint members to the commission to replace any members under IC 4-23-28-4(a)(4) whose terms expire under this subsection. If more than one (1) member is appointed under this subsection, the members may not be affiliated with the same political party. A member appointed under this subsection serves a term of two (2) years. The speaker of the house of representatives may reappoint a member whose term expires under this subsection.

(g) Notwithstanding the amendment of IC 4-23-28-4 by this act, this subsection applies if:

(1) the commission member appointed under IC 4-23-28-4(a)(10); and

(2) the commission member appointed under IC 4-23-28-4(a)(11);

who are serving on the effective date of this act are of the same political party. The term of the member of the commission appointed under IC 4-23-28-4(a)(11) before July 1, 2006, expires June 30, 2006. The governor shall appoint a member under IC 4-23-28-4(a)(11) who is not of the same political party as the member appointed under IC 4-23-28-4(a)(10).

(h) This SECTION expires July 1, 2008.

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